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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

Attorney Docket No. 1475

First Inventor Myers, Steven Duane

Title COMMUNICATION DEVICE QUALIFICATION FOR BROADBAND  
WIRELESS SERVICE

Express Mail Label No. EM590191211US

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 20]  
(preferred arrangement set forth below)
- Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C.113) [Total Sheets 9]
5. Oath or Declaration [Total Pages 2]
- a. ☒ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b)
6. ☐ Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:**Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATIONS PARTS**

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☒ Request and Certification under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.
17. ☐ Other:

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment,  
or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No. \_\_\_\_ / \_\_\_\_

Prior application information: Examiner \_\_\_\_

Group / Art Unit: \_\_\_\_

For **CONTINUATION** or **DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied  
under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The  
incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**17. CORRESPONDENCE ADDRESS**☒ Customer Number or Bar Code Label

021396

or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Brett L. Bornsen

Registration No. (Attorney/Agent)

46,566

Signature

Date

4-20-01

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

## Complete if Known

|                      |                     |
|----------------------|---------------------|
| Application Number   | Not Yet Assigned    |
| Filing Date          | Herewith            |
| First Named Inventor | Myers, Steven Duane |
| Examiner Name        |                     |
| Group / Art Unit     |                     |
| Attorney Docket No.  | 1475                |

TOTAL AMOUNT OF PAYMENT (\$ 822

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to.

Deposit  
Account  
Number

21-0765

Deposit  
Account  
Name

Sprint Communications Company, L P

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status  
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money  
Order ☐ Other

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description        | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|------------------------|----------|
| 101                  | 710                   | 201                  | 355                   | Utility filing fee     | 710      |
| 106                  | 320                   | 206                  | 160                   | Design filing fee      |          |
| 107                  | 490                   | 207                  | 245                   | Plant filing fee       |          |
| 108                  | 710                   | 208                  | 355                   | Reissue filing fee     |          |
| 114                  | 150                   | 214                  | 75                    | Provisional filing fee |          |

SUBTOTAL (1)

(\$ 710

## 2. EXTRA CLAIM FEES

| Total Claims          | Extra<br>Claims | Fee from<br>below | Fee<br>Paid |
|-----------------------|-----------------|-------------------|-------------|
| 28                    | -20             | 8                 | 72          |
| Independent<br>Claims | 3               | -3                | 0           |
| Multiple<br>Dependent |                 |                   | 0           |

| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description  |
|----------------------|-----------------------|----------------------|-----------------------|--|
| 103                  | 18                    | 203                  | 9                     | Claims in excess of 20                                     |
| 102                  | 80                    | 202                  | 40                    | Independent claims in excess of 3                          |
| 104                  | 270                   | 204                  | 135                   | Multiple dependent claim, if not paid                      |
| 109                  | 80                    | 209                  | 40                    | ** Reissue independent claims over original patent         |
| 110                  | 18                    | 210                  | 9                     | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

(\$ 72

\*\*or number previously paid, if greater, For Reissues, see above

## FEE CALCULATION (continued)

| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description  | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|--|----------|
| 105                  | 130                   | 205                  | 65                    | Surcharge - late filing fee or oath  |          |
| 127                  | 50                    | 227                  | 25                    | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 139                  | 130                   | 139                  | 130                   | Non-English specification  |          |
| 147                  | 2,520                 | 147                  | 2,520                 | For filing a request for reexamination                                     |          |
| 112                  | 920*                  | 112                  | 920*                  | Requesting publication of SIR prior to Examiner action                     |          |
| 113                  | 1,840*                | 113                  | 1,840*                | Requesting publication of SIR after Examiner action                        |          |
| 115                  | 110                   | 215                  | 55                    | Extension for reply within first month                                     |          |
| 116                  | 390                   | 216                  | 195                   | Extension for reply within second month                                    |          |
| 117                  | 890                   | 217                  | 445                   | Extension for reply within third month                                     |          |
| 118                  | 1,390                 | 218                  | 695                   | Extension for reply within fourth month                                    |          |
| 128                  | 1,890                 | 228                  | 945                   | Extension for reply within fifth month                                     |          |
| 119                  | 310                   | 219                  | 155                   | Notice of Appeal   |          |
| 120                  | 310                   | 220                  | 155                   | Filing a brief in support of an appeal                                     |          |
| 121                  | 270                   | 221                  | 135                   | Request for oral hearing   |          |
| 138                  | 1,510                 | 138                  | 1,510                 | Petition to institute a public use proceeding                              |          |
| 140                  | 110                   | 240                  | 55                    | Petition to revive - unavoidable   |          |
| 141                  | 1,240                 | 241                  | 620                   | Petition to revive - unintentional   |          |
| 142                  | 1,240                 | 242                  | 620                   | Utility issue fee (or reissue)   |          |
| 143                  | 440                   | 243                  | 220                   | Design issue fee   |          |
| 144                  | 600                   | 244                  | 300                   | Plant issue fee  |          |
| 122                  | 130                   | 122                  | 130                   | Petitions to the Commissioner  |          |
| 123                  | 130                   | 123                  | 130                   | Petitions related to provisional applications                              |          |
| 126                  | 180                   | 126                  | 180                   | Submission of Information Disclosure Stmt                                  |          |
| 581                  | 40                    | 581                  | 40                    | Recording each patent assignment per property (times number of properties) | 40       |
| 146                  | 710                   | 246                  | 355                   | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149                  | 710                   | 249                  | 355                   | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179                  | 710                   | 279                  | 355                   | Request for Continued Examination (RCE)                                    |          |
| 169                  | 900                   | 169                  | 900                   | Request for expedited examination of a design application                  |          |

Other fee (specify)

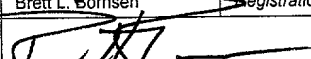
\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 40

## SUBMITTED BY

## Complete (if applicable)

|                   |   |                                  |        |           |                |
|-------------------|---|----------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Brett L. Bornsen  | Registration No. Attorney/Agent) | 46,566 | Telephone | (303) 546-1300 |
| Signature         |  |                                  |        | Date      | 4-20-01        |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

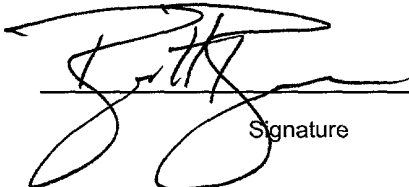
**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

|                      |   |  |
|----------------------|---|--|
| First Named Inventor | Myers, Steven Duane                                 |  |
| Title                | COMMUNICATION DEVICE FOR BROADBAND WIRELESS SERVICE |  |
| Atty Docket Number   | 1475  |  |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

April 20, 2001

Date



Signature

Brett L. Bornsen

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

**Burden Hour Statement** This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

FORM 6006360

|   |                               |                            |
|---|-------------------------------|----------------------------|
| <b>Certificate of Mailing under 37 CFR 1.10</b> | <b>Application Number</b>     | <b>Not yet assigned</b>    |
|   | <b>Filing Date</b>            | <b>herewith</b>            |
|   | <b>First Named Inventor</b>   | <b>Myers, Steven Duane</b> |
|   | <b>Examiner Name</b>          |                            |
|   | <b>Attorney Docket Number</b> | <b>1475</b>                |

Not yet assigned

herewith

**Myers, Steven Duane**

1475

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage in an Express Mail envelope bearing label number: EM590191211US, addressed to:


### Box: Patent Application

Assistant Commissioner for Patents  
Washington, D.C. 20231

on April 20, 2001.

Date \_\_\_\_\_

2001.



Signature

Claudia E. Hodges-Gonzales

New Application Transmittal, 1 page  
Specification, 12 pages  
Abstract, 1 page  
Claims, 7 pages, 28 claims  
Drawings, 9 sheets, 9 Figures  
Declaration and POA, 2 pages  
Request and Certification, 1 page  
Recordation Form Cover Sheet, 2 pages  
Assignment, 2 pages  
Return receipt postcard, 1  
Fee Transmittal, 1 page

Typed or printed name of person signing Certificate

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[illegible]